

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER**

UNITED STATES OF AMERICA	)	
	)	Case No. 4:15-cr-13
v.	)	
	)	Judge Travis R. McDonough
DAVID HARTLEY	)	
	)	Magistrate Judge Susan K. Lee
	)	

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**ORDER**

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Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court:

(1) grant Defendant's motion to withdraw his not guilty plea to Count One of the three-count Indictment; (2) accept Defendant's plea of guilty to Count One of the Indictment; (3) adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) order that Defendant remain in custody until sentencing in this matter. (Doc. 85.) Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 85) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count One of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to Count One of the Indictment is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Indictment;
- (4) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing;

(5) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **October 7, 2016 at 9:00 a.m. [EASTERN]** before the Honorable Travis R. McDonough.

**SO ORDERED.**

**ENTER:**

*/s/Travis R. McDonough*

**TRAVIS R. MCDONOUGH  
UNITED STATES DISTRICT JUDGE**